

#7

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:)	<u>Group Art Unit: 2625</u>
)	
Young Su LEE)	<u>Examiner: S. Azarian</u>
)	
Serial Number: 09/657,573)	<u>Attorney Docket: LEEY3016beu</u>
)	
Filed: September 8, 2000)	<u>Confirmation No.: 2704</u>
For: Motion Estimator Architecture For Low Bit Rate Image Communication		

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER
37 C.F.R. § 1.137(b)

Honorable Commissioner For Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Applicant respectfully requests revival of the above-identified application pursuant to 37 CFR §1.137(b).

The application became abandoned on March 10, 2004, for failure to pay the issue fee set forth in the Notice of Allowance dated December 10, 2003. A Notice of Abandonment was mailed on April 29, 2004.

The abandonment of the application for failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional.

The delay occurred because the Applicant sent a remittance for payment of the issue fee which was received on March 15, 2004, five days after the due date for payment, but did not realize that the application had become abandoned until some time after May 30, 2008.

The Applicant was informed that the application had become abandoned in a letter to Applicant's Korean representative dated March 23, 2004. However, the Applicant failed

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to associate the letter with the application or respond to the letter. Instead, the Applicant continued to believe that the issue fee had been timely paid.

The reason for the confusion is that the office manager for the undersigned acknowledged receipt of the remittance by adding a receipt stamp to the original remittance letter, signing the receipt "J Rappe," and returning the stamped copy of the remittance letter to Applicant's Korean representative. This led the Applicant's Korean representative to believe that the remittance had been applied to the issue fee, even though that was not the case because of the late receipt of the remittance and instruction letter.

In a letter dated April 30, 2008 (Exhibit A), the Applicant inquired about the status of the application. The April 30, 2008 letter included a copy of the original remittance letter, in which the receipt stamp signed by J. Rappe was circled (Exhibit B). Applicant's representative wrote: "Please inform the status of the above-identified application as soon as possible. We have not the patent number and patent letters. We cannot find the patent number at PAIR of USPTO. Please find attached the remittance letter."

The Applicant was then sent a letter dated May 30, 2008, pointing out the application had in fact become abandoned for failure to pay the issue fee, despite the acknowledgment of the remittance, in view of the failure to respond to the March 23, 2004 letter informing the Applicant of the abandonment. After Applicant's Korean representative informed the Applicant of the need to revive the application, instructions to revive the application were sent on July 23, 2008.

At no time did the Applicant or Applicant's representatives intend to abandon the application. Instead, the delay in reviving the application was due to the mistaken belief on the part of the Applicant and Applicant's Korean representative that the issue fee had in fact been paid. On the other hand, Applicant's U.S. representative failed to revive the application due to a lack of instructions on the part of Applicant's Korean representative, which lack of

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instructions resulted from the Applicant's belief that the issue fee had in fact been taken care and that no further instructions were necessary.

The required reply, in the form of payment of the issue fee and submission of a completed form PTOL-85, is attached.

The application status is small entity. Enclosed is a check for the petition fee of \$770.00 and the issue fee of \$720.

Respectfully submitted,

BACON & THOMAS, PLLC



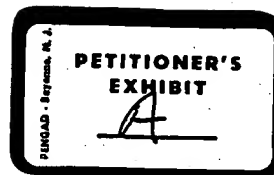
By: BENJAMIN E. URCIA
Registration No. 33,805

Date: August 12, 2008

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Patent and Trademark Attorney

Jongil Lee

Sungwhan Kim

Jinsuk Jung

By Facsimile

Total 1 page(s)

BACON & THOMAS

BENJAMIN E. URICA

April 30, 2008

Re. : Status of US Patent Application No. 09/657,573

Your ref. : LEEY3016/BEU

Our ref. : USPBA-00-004

Title : Motion estimator architecture for low bit...

Dear Sir

RECEIVED

Bacon & Thomas

Thank You!

APR 30 2008

Bacon & Thomas P.C.

Thank you for your services.

Please inform the status of the above-identified application as soon as possible.

We have not the patent number and patent letters.

We cannot find the patent number at PAIR of USPTO.

Please find attached the remittance letter.

With best regards,

Patent & Trademark Attorney JONGIL LEE



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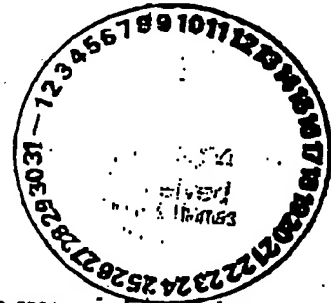
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Patent and Trademark Attorney
Jongil Lee

BACON & THOMAS

Date: March 10, 2004

RE : THE REMITTANCE
U.S. Patent Application No. 09/657,573
Inventor : Young Su LEE
Your Ref: LEEY3016/BEU
Our Ref : USPBA-00-004



Dear Sir:

Thank you for your fax dated March 09, 2004 regarding your information of remittance.

This is to confirm that we've wired the fees of your invoices March 10 2004, which totally amounts to US\$995.00 as shown below.

Debit date	Invoice No.	Your Ref.	Our Ref.	Amount
Dec 19, 2003	P1036	LEEY3016/BEU	USPBA-00-004	US\$995.00
- Total Amount				US\$995.00

Please pay the Issue/Publication Fee of above - mentioned application.
And Please acknowledge safe receipt of this letter by return facsimile.

With your best regards,

DAEILPAT Patent & Trademark Attorney JONGIL LEE
HYEJOON KIM

Date: 3/15/04
Received \$995.00
THANK YOU!

J. Rapp